

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1447 be amended to read as follows:

1 Page 35, delete lines 37 through 42, begin a new paragraph and
2 insert:
3 **"(d) The limits specified in subsection (c) do not apply to a civil**
4 **taxing unit in the first year in which the civil taxing unit becomes**
5 **a participating unit in a fire protection territory established under**
6 **IC 36-8-19. In the first year in which a civil taxing unit becomes a**
7 **participating unit in a fire protection territory, the civil taxing unit**
8 **shall submit its proposed budget, proposed ad valorem property**
9 **tax levy, and proposed property tax rate for the fire protection**
10 **territory to the local government tax control board. The local**
11 **government tax control board shall review and make a**
12 **recommendation to the department of local government finance on**
13 **the civil taxing unit's budget, ad valorem property tax levy, and**
14 **property tax rate for the fire protection territory for that calendar**
15 **year. The department of local government finance shall make a**
16 **final determination of the civil taxing unit's budget, ad valorem**
17 **property tax levy, and property tax rate for the fire protection**
18 **territory for that calendar year. In making its determination under**
19 **this subsection, the department of local government finance shall**
20 **consider the amount that the civil taxing unit is obligated to**
21 **provide to meet the expenses of operation and maintenance of the**
22 **fire protection services within the territory, plus a reasonable**
23 **operating balance, not to exceed twenty percent (20%) of the**
24 **budgeted expenses. However, the department of local government**

1 **finance may not approve under this subsection a property tax levy**
2 **greater than zero (0) if the civil taxing unit did not exist as of the**
3 **March 1 assessment date for which the tax levy will be imposed.**
4 **For purposes of applying subsection (c) to the civil taxing unit's**
5 **property tax levy for the fire protection territory in subsequent**
6 **calendar years, the department of local government finance may**
7 **determine not to consider part or all of the part of the first year**
8 **property tax levy imposed to establish an operating balance."**

9 Page 36, delete lines 1 through 21.

10 Page 289, between lines 20 and 21, begin a new paragraph and
11 insert:

12 "SECTION 248. [EFFECTIVE JANUARY 1, 2009
13 (RETROACTIVE)] **IC 36-8-19-8, as amended by this act, applies to**
14 **property taxes first due and payable after December 31, 2008."**

15 Renumber all SECTIONS consecutively.

(Reference is to HB 1447 as printed February 20, 2009.)

Representative Thompson